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13/720,376	12/19/2012	SUSAN L. CHAPIN	G-597-O1	6753

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PITNEY BOWES INC.  
INTELLECTUAL PROPERTY & PROCUREMENT LAW DEPT.  
37 EXECUTIVE DRIVE  
MSC 01-152  
DANBURY, CT 06810

EXAMINER
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SARPONG, AKWASI

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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*Ex parte* SUSAN L. CHAPIN, EUGENE PRITCHARD,  
BRUCE J. BARROWS, and SRIKANTH V. DASAMANDAM

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Appeal 2016-000693  
Application 13/720,376<sup>1</sup>  
Technology Center 2600

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Before JOHN A. EVANS, SCOTT E. BAIN, and  
STEVEN M. AMUNDSON, *Administrative Patent Judges*.

EVANS, *Administrative Patent Judge*.

DECISION ON APPEAL

Appellants seek our review under 35 U.S.C. § 134(a) of the Examiner's Final Rejection of Claims 1, 3–11, and 13–20. Br. 7. Claims 2 and 12 are cancelled. Claims App'x. We have jurisdiction under 35 U.S.C. § 6(b).

We REVERSE.<sup>2</sup>

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<sup>1</sup> The Appeal Brief identifies Pitney Bowes, Inc., as the real party in interest. App. Br. 2.

<sup>2</sup> Rather than reiterate the arguments of Appellants and the Examiner, we refer to the Appeal Brief (filed March 11, 2015, "Br."), the Examiner's Answer (mailed August 3, 2015, "Ans."), the Final Action (mailed October 15, 2014, "Final Act."), and the Specification (filed December 19, 2012,

STATEMENT OF THE CASE

The claims relate to a computer method and system to permit reconciliation of documents. *See* Abstract.

Claims 1 and 11 are independent. The claims have not been argued separately and therefore stand or fall together. 37 C.F.R. § 41.37(c)(1)(iv). An understanding of the invention can be derived from a reading of exemplary Claim 1, which is reproduced below with some formatting added:

1. A computer method for reconciliation of mail production jobs, the method comprising:

tracking mail piece production of documents that are originally part of a first mail production job, but that may be produced as part of a different second mail production job, the step of tracking comprising:

in a database, storing a first record identifying documents in the first mail production job, the first record further including one or more fields indicating a production status of the documents in the first mail production job;

separating a document from the first mail production job to be produced as part of a second mail production job;

in the database, storing a second record identifying documents in the second mail production job;

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“Spec.”) for their respective details.

in the database, updating one or more records  
pertaining to the document to include a pointer indicating  
the relationship between the document and the first mail  
production job and the second mail production job;

determining a status of the document during mail  
production in the second mail production job;

updating the one or more records with a status of  
the document; and

responsive to a query regarding the status of  
documents originally in the first job, using the pointer to  
identify the status of the document in the second job, and  
providing that status pursuant to the query;

wherein the step of updating one or more records to  
include the pointer includes updating the first record to identify  
a second mail production job ID and a second piece ID within  
the second mail production job for one or more documents in  
the first mail production job.

#### *References and Rejection*

The Examiner relies upon the prior art as follows:

Harman, <i>et al.</i> ,	US 2007/0177764 A1	Aug. 2, 2007
Hiraguchi	US2009/0037473 A1	Feb. 5, 2009

Claims 1, 3–11, and 13–20 stand rejected under pre-AIA 35 U.S.C.  
§ 103(a) as being unpatentable over Harman and Hiraguchi. Final Act. 4–  
12.

## ANALYSIS

We have reviewed the rejection of Claims 1, 3–5, 9–11, and 13–18 in light of Appellants’ arguments that the Examiner erred.

Appellants argue all claims as a group and specifically argue Claim 1. Br. 7.

*A pointer indicating the relationship between the document and the first and second mail production jobs.*

Appellants contend the cited art fails to teach the claimed “pointer.” Br. 6.

The Examiner finds Harman does not teach the claimed pointer. Final Act. 3, 5. The Examiner finds Hiraguchi teaches a PID (i.e., “printed sheet identification data,” *see* Hiraguchi, ¶ 72) which reads on the claimed pointer because it indicates that this job is to be reprinted. *Id.* (citing Hiraguchi, ¶ 112).

Appellants contend Hiraguchi teaches a multifunction device (print, scan, copy, fax, etc.) that can store a digital copy of a document which may be reprinted at a later time. Br. 6. Appellants argue Hiraguchi teaches the device stores a digital record that refers to the stored document and teaches one printed document may have the same image as a second document. *Id.* Appellants also argue Hiraguchi teaches recording entries showing a series of documents that have been printed, but fails to teach tracking of mail piece production that has been switched from a first mail job to a second mail job and fails to teach reconciliation of such jobs. *Id.*

The Examiner’s Answer finds Harman teaches the claimed pointer. *See* Ans. 2–3. This finding is inconsistent with the Examiner’s original finding. *See* Final Act. 5 (“Harman does not disclose that in the database,

updating one or more records pertaining to the document to include a pointer indicating the relationship between the document and the first mail production job and the second mail production job”).

The claims recite both “a pointer” and “a second piece ID.” *See* Claims 1 and 11. Nonetheless, the Examiner’s Answer reiterates the original finding that Hiraguchi’s PID (i.e., piece identifier) teaches the claimed “pointer.” Ans. 3–4. “There is an inference . . . that two different terms used in a patent have different meanings.” *Comaper Corp. v. Antec, Inc.*, 596 F.3d 1343, 1348 (Fed. Cir. 2010). Courts will presume different meanings attach to different words when construing claim language. *See, e.g., Ethicon Endo-Surgery, Inc. v. U.S. Surgical Corp.*, 93 F.3d 1572, 1579 (Fed. Cir. 1996) (reversing lower court’s ruling that a “pusher assembly” and a “pusher bar” have the same meaning). The Examiner’s finding is inconsistent with the relevant judicial presumption. Nor has the Examiner given a reason why, in this case, the judicial inferences and presumptions should not obtain. We are not persuaded Hiraguchi’s PID (i.e., piece identifier) can be both the claimed piece identifier and the claimed pointer.

## DECISION

The rejection of Claims 1, 3–11, and 13–20 under 35 U.S.C. § 103 is REVERSED.

REVERSED